



MEMO

Date: December 10, 2020

To: President's Council and Policy Subcommittee

From: Vice President Linda Makin, Budget, Planning, and Human Resources

Cara O'Sullivan, Director, Policy Office

Policy Coordinator Committee

Re: Proposed Revisions to Policy 101 *Policy Governing Policies*

Because Policy 101 is the foundation of the shared governance process as it relates to policy, the Policy Coordinator Committee, which is the drafting committee for this policy, seeks input in Stage 1 before finalizing the proposed Stage 2 draft for President's Council review and action. Below is a summary of key proposed revisions to Policy 101. The Policy Coordinator Committee welcomes your comments and questions, which can be submitted to Cara O'Sullivan (cara.osullivan@uvu.edu) by Friday, January 15, 2021.

Key Proposed Revisions to Policy 101

- 1) *New step and entity in policy review process: Equity Framework Policy Review Committee.* This committee, comprised of volunteers who serve two-year terms, will be tasked with assessing Stage 1 policy drafts to identify and resolve equity issues. This proposed change aligns with recent action by the Utah Board of Higher Education. After the Policy Office and the Office of General Counsel have completed their reviews of a Stage 1 policy draft in the regular policy process, the Equity Lens Policy Review Committee will conduct their review and submit their recommendations and concerns to the drafting committee, the Policy Office, and the Office of General Counsel for consideration.
- 2) *New policy process: "expedited compliance change approval process."* A policy approval process reserved for nondiscretionary, limited-scope revisions necessitated by changes in external law or other binding compliance requirements to passages of existing policy, or deletions of an existing policy from the Policy Manual. The revisions proposed during this process are limited to only those specific policy sections requiring modification to maintain the University's compliance with external law.

When a policy must be updated due to mandates in state or federal law, only the portions of policy that must be updated are open to revision. Because these updates are required and nonnegotiable (mandated by law), the policy will not be open to commentary. These changes are made under the direction of General Counsel and approved by President's Council and the Board of Trustees.

General Counsel and the Policy Office will produce an executive summary that lists the changes and explains the legal or regulatory mandate for these changes. The Policy Office will post notice of the revisions on its website, communicate the revision to shared governance entities by email, and

communicate the revision to the broader university community through UVAnnounce.

- 3) *The Policy Office will no longer publish university guidelines on its website; these guidelines will now belong to responsible university entities.* Because of legal concerns and shared governance issues, we propose no longer having university guidelines on the Policy Office website. Instead, University entities will be responsible for posting their guidelines or procedure documents on their website and for communicating with and training those who would be affected by them.
- 4) *Clarification for when a member of President's Council wants to initiate policy action for an existing policy that they are not responsible for.* New language: "If a policy sponsor wishes to initiate a policy action related to an existing policy for which another policy sponsor is responsible, the initiating policy sponsor shall notify the responsible policy sponsor prior to presenting their proposed policy action to President's Council. The two parties may choose whether to co-sponsor the policy. If the two parties cannot agree on the proposed policy action, then President's Council shall approve or disapprove the proposed policy action.
- 5) *Clarification for effective date of temporary policies.* New language: "The expiration date of a temporary policy shall be calculated from the end of the month in which the Board of Trustees approved the policy." Note: "temporary emergency policies" will be called "temporary policies."
- 6) *Change in the policy process for non-substantive changes.* After review by the Office of General Counsel, the Policy Office submits an executive summary to President's Council of proposed non-substantive changes. President's Council approves or disapproves the proposed non-substantive changes. If President's Council approves the changes, the Policy Office posts the summary as a news item on its website, communicates the link to shared governance entities by email, and communicates the link to the broader university community by UVAnnounce.
- 7) *Clarification for conflict between university policies.* New language: "In the event of a conflict between university policies, President's Council shall determine which policy or policies shall be revised or deleted through a policy approval process to resolve the conflict. In the absence of a determination by President's Council, the most recently approved policy governs."
- 8) *Clarification on role of "responsible office."* New language: "The responsible office for a policy has the authority to interpret, implement, and oversee compliance with that policy. In the event of conflicting views among members of President's Council on the interpretation, implementation, and/or compliance with a specific policy, the matter may be brought before President's Council by any member of President's Council, where the president, in consultation with President's Council, makes the final determination."